Mr. P. Govinda Menon *(Minister for Food and Education):* I pray that S. O. No. 32 may be suspended and the Bill may be allowed to be taken up for consideration.

Mr. President: The Standing Order is suspended.

Mr. P. Govinda Menon *(Minister for Food and Education):* I move that the Bill be taken up for consideration.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried

Clauses 2 to 18 put and carried

Schedule put and carried

Clause 1 put and carried

Title and Preamble put and carried

Mr. P. Govinda Menon *(Minister for Food and Education):* Sir, I move that the Bill be taken up and finally passed tomorrow.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

Motion put and carried.

(2) The Cochin Buildings (Lease and Rent Control) Bill

Mr. C.R. Iyyunni *(Minister for Revenue):* Sir, I move that the Cochin Buildings (Lease and Rent Control) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

*Mr. C. R. Iyyunni *(Minister for Revenue):* Mr. President; Sir, this is also a measure that is brought to this Council for passing. Even though the War has ended, the conditions are prevalent as if the War has not ended. There were the Defence of India Act and the Rules framed thereunder. They have ended by the close of September 1946. The Cochin House Rent Control Order and the Non-Residential Buildings Control Order have ceased to function by the end of September 1946. If these two Orders are not in force, there is not the slightest doubt that there will be a lot of difficulty caused to the people to control the rent and prevent unreasonable evictions. Those conditions still exist as a result of which the Royal Proclamation was issued just before the end of September 1946. Now, it will be only in the fitness of things after the Ministry is formed that the matter engages the attention of the Legislature, instead of having it as a Proclamation. It will not be proper that the Proclamation should continue when there is a session of the Council running, and therefore it has been brought to this House for its acceptance.

There is some little difference between the provisions in the Proclamation and the Bill as now brought. The provisions of the Proclamation as then stood were more or less the provisions that were contained in the Madras Bill. Subsequently the Bill that was pending, there went into the hands of the Select Committee and the Select Committee had made certain recommendations which were accepted and those provisions have been incorporated in the draft Bill now before you. The conditions in Cochin are more or less similar to those prevailing in the Province of Madras and therefore the increase in the percentage has been modelled on the lines of the provisions contained in the Madras Bill which has become law there. The only difference between the Madras Act and our Bill is that in the Madras Act, there is no power of review. Here, from experience, it is seen that mistakes are committed by the Controller and the Appellate authority.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* By our officers!

Mr. C. R. Iyyunni *(Minister for Revenue):* Yes. To err is human. I think you do not understand it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri):* Is it so?

Mr. C. R. Iyyunni *(Minister for Revenue):* So a provision has been made here, giving the power of review, to the Controller and the Appellate authority. I request that this Bill be supported by all the Members of this House.

മിസ്റ്റർ പ്രസിഡന്റ്: കെ. വള്ളിസ്സ്: വരാൻ ഉദ്ദേശിക്കുന്നതായി ബഹുമാനപ്പെട്ട മന്ത്രിക്ക് അറിയാമായിരുന്നില്ല? ബഹുമാനപ്പെട്ട മന്ത്രിമാർക്ക് താമസിക്കുന്നതിനുവേണ്ടി ഗവൺമെ

*Speech not corrected by the Hon'ble Minister.

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ണ്ടിൽനിന്നു കെട്ടിടങ്ങൾ വാടകയ്ക്കു എടുത്തിട്ടുണ്ടു്. അതും അതുപോലെ ഗവൺമെണ്ടിന്റെ ആവശ്യത്തിനുവേണ്ടി എടുത്തിട്ടുള്ള മറ്റു കെട്ടിടങ്ങളും ഒക്കെ ഈ ബില്ലിൽ ഉദ്ദേശിക്കുന്നതനുസരിച്ചുള്ള സംഖ്യയ്ക്കാണൊ എടുത്തിട്ടുള്ളതു്?

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി: റെൻറ് കൺട്രോളർ ഏതുവിധത്തിലാണു് വാടക നിശ്ചയിക്കേണ്ടതു് എന്നതിനു ഒരു പ്രൊവിഷൻ തന്നെ അതിലുണ്ടു്. അതായതു ഫൺർ ർ-ൻ മുമ്പുള്ള വാടക എന്തായിരുന്നു; മുനിസിപ്പാലിറ്റിയിൽനിന്നു് എത്ര വാടക നിശ്ചയിച്ചിട്ടുണ്ടു്; ഇതൊക്കെ അന്വേഷിച്ചു് വാടക ഇത്ര എന്നു നിശ്ചയിക്കാൻ റെൻറ കൺട്രോളക്കു അധികാരമുണ്ടു്.

മിസ്റ്റർ ജോസു് കെ. വറ്റീസ്സു്: അതൊക്കെ അന്വേഷിച്ചിട്ടതന്നെയാണൊ ഗവൺമെണ്ടിൽനിന്നു് ഈ കെട്ടിടങ്ങൾ വാടകയ്ക്കെടുത്തിട്ടുള്ളതു്? ഗവൺമെണ്ടിൽനിന്നു, താമസിക്കാനുള്ള വീടുകൾ മുന്തിയ നാന്തിയ തുപാ വാടകയ്ക്കെടുത്തിട്ടുണ്ടെന്നറിഞ്ഞു. എന്നാൽ എറണാകുളത്തു് അത്രമാത്രം വാടക കൊടുക്കത്തക്ക കെട്ടിടങ്ങൾ ഉള്ളതായി അറിവില്ല. അതു കൊണ്ടു് ഗവൺമെണ്ടു എടുത്തിട്ടുള്ള കെട്ടിടങ്ങൾ റെൻറ കൺട്രോളുടെ ഓർഡർ അനുസരിച്ചുള്ള സംഖ്യയ്ക്കാണൊ എന്നാണു ചോദിക്കുന്നതു്?

മിസ്റ്റർ സി. ആർ. ഇയ്യുണ്ണി: അല്ല. ആവശ്യംവന്നപ്പോൾ ഗവൺമെണ്ടിൽനിന്നു് ഉടനെതന്നെ വാടകയ്ക്കെടുത്തുവെന്നേ ഉള്ളു.

മിസ്റ്റർ ജോസു് കെ. വറ്റീസ്സു്: അപ്പോൾ ആവശ്യം അനുസരിച്ചാണൊ വാടക നിശ്ചയിക്കുന്നതു്; അതൊ, ഈ ബില്ലിലെ പ്രൊവിഷനനുസരിച്ചൊ; എത്ര ഉദ്ദേശത്തിന്മേലാണു് ഗവൺമെണ്ടു് കെട്ടിടങ്ങൾ വാടകയ്ക്കെടുത്തിട്ടുള്ളതു്?

മിസ്റ്റർ എം. ശിവരാമമേനോൻ: എത്രദ്ദേശിച്ചാണു് കെട്ടിടങ്ങൾ വാടകയ്ക്കെടുത്തിട്ടുള്ളതെന്നു ചോദിച്ചാൽ പറയാൻ വിഷമമാണു്. ഈ കെട്ടിടങ്ങളുടെ കാര്യങ്ങളാണെങ്കിൽ ഞാൻ പറയാം.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: May I know, Sir, whether it is the intention of the Government to rush through the Bill suspending the Standing Order?

Mr. M. Sivarama Menon *(Advocate-General)*: Government have not got any idea to rush through the Bill. Government would leave the matter to the sense of the House.

Mr. Parmabi Lonappen *(Irinjalakkuda)*: If the Government will not have any objection, I would request that the Bill may be referred to a Select Committee.

Mr. M. Sivarama Menon *(Advocate-General)*: Government have certanly no objection for it.

Motion put and carried

Secretary to the Council: The title of the Bill is the Cochin Buildings (Lease and Rent Control) Bill.

Mr. Parambi Lonappen *(Irinjalakkuda)*: Sir, I move that the Bill may be referred to a Select Committee since some changes are necessary in certain sections of the Bill.

Mr. A. Eachara Menon *(Chittur-Tattamangalam)*: I second it.

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I also support it.

Mr. Parmabi Lonappen *(Irinjalakkuda)*: I would request the Hon'ble Minister for Revenue to suggest the members of the Select Committee.

Mr. P. Kumaraa Ezhuthassan *(Vadakkancheri)*: I would make one suggestion, Sir, and that is that the Select Committee report may be made available before the next sitting of the Council.

Mr. C. R. Iyyunni *(Minister for Revenue)*: I move that the Bill may be referred to a Select Committee; consisting of

1. Mr. Parambi Lonappen
2. Mrs. T. Francis
3. Mr. K. T Achuthan
4. The Advocate-General
5. Mr. K. H. Sulaiman, and
6. The Mover

Mr. P. Kumaran Ezhuthassan *(Vadakkancheri)*: I would suggest the name of Mr. Koder also, to the committee since Mattancheri is a place most affected by the provisions of the Bill.

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Mr. C. R. Iyyunni *(Minister for Revenue):* I have no objection.

Mr. President: Mr. S. S. Koder also will be included in the Committee.

The question is that the Cochin Buildings (Lease and Rent Control) Bill be referred to a Select Committee consisting of—

1. Mr. Parambi Lonappen
2. Mr. S. S. Koder
3. Mrs. T. Francis
4. Mr. K. T. Achuthan
5. Mr. K. H. Sulaiman
6. Mr. Advocate-General
7. The Mover (Minister for Revenue)

Motion put and carried

Mr. President: The Committee will submit its report within a month, and the Hon'ble Minister for Revenue will be the Chairman of the Committee.

(3) The Cochin Industrial Employment (Standing Orders) Bill

Mr. P. Govinda Menon *(Minister for Food and Education):* Sir I move that the Cochin Industrial Employment (Standing Orders) Bill be read in Council.

Mr. M. Sivarama Menon *(Advocate-General):* I second it.

***Mr. P. Govinda Menon** *(Minister for Food and Education):* Sir, this is the first of a series of legislations which Government have in view to regularise and control the relationship between industrial labour and employment in Cochin State. As I stated, this is the first of the series. Some explanation may be required to enable Hon'ble Members to understand the scope of this legislation. We hear now-a-days of too many strikes in Industrial Establishments. If the matter is studied at close quarters, it would be seen that in many of the indus rial establishmen's in Cochin, conditions of labour are not laid down. There are no regulations made either by the management or by Government to lay down the conditions under which workmen are employed in industrial undertakings. Now, this Bill seeks to compel industrial establishments to have Standing Orders regulating the conditions of employment of labour. The Standing Orders will be something like the service regulations of Governments.

I will first of all take the House to the Schedu'e attached to the Bill. The Schedule will give you some idea as to what are the subjects on which the Industrial Establishment is expected to lay down written rules. I will go through them one by one. (1) Classification of workmen, *e.g.*, whether permanent, temporary, apprentices or probationers. Now, in many industrial establishments there is absolutely nothing to indicate whether a particular workman is a permanent employee or temporary employee. It is often found that permanet workers, *i. e.*, persons who have been long in the employ of a management, are treated sometimes as temporaries and temporaries are sometimes treated as permanent. There will be nothing either to convince the Trade Union or the Labour Commissioner or the Government as to who are temporary employees and who are permanent. So the Standing Orders are expected to cover that question. (2) The manner of intimating to workmen periods and hours of work, holidays, pay-days and wage rates, etc. In that matter also in some establishments there is some confusion. With respect to the wages paid to workmen there is no wage scale pre-determined. Often the Managers or the employers say that their wages are such. I am not referring to first class industrial concerns. (3) Then with regard to rules relating to shift work, attendance and late coming, conditions of procedure in applying for and the authority which may grant leave. In several industrial establishments, it has come to my personal knowledge that granting of leave and holidays is not often done in a regular manner. It is not laid down in several establishments as to whether workmen are allowed casual leave, if so, for how many days in a year, etc. Even these require copious research. Then I come to item 7, *viz.*, closing and reopening of sections of the industrial establishment and temporary stoppages of work and the rights and liabilities of the employer and workmen arising therefrom. Now, this subject is a very important one from the standpoint of workers. In very large industrial establishments often there will be stoppages of work due to accident, *e.g.*, the electricity may fail, the machine may go out of order. It may be for one or two days. A question will arise as to whether a workman who was in the employment of the management for ten or twelve years should lose his wages because the machine got out of order for one or two days. In certain establishments, these workmen are "played off." That is the word used. The term "played off" is an euphemistic one, because it is not play to work. It is

*Speech not corrected by the Hon'ble Minister.

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